THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.NO.25570 OF 2006

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the first respondent in not passing any orders on the stay petition filed by the petitioner along with the appeal on 24.11.2006 as arbitrary and illegal and consequently direct the respondents to continue the petitioner as fair price shop dealer at Neelareddipalli Village, Bukkaraya Samudram Mandal, by suspending the operation of the proceedings Rc.D1/CS/1512/2006, dated 11.09.2006, issued by the second respondent.

It appears that the petitioner was a permanent fair price shop dealer of Neelareddipalli Village of Bukkaraya Samudram Mandal, Ananthapur District and his authorization was suspended by an order, dated 11.09.2006, of the Revenue Divisional Officer, Ananthapur. Aggrieved by the same, the petitioner filed a statutory appeal before the second respondent-Joint Collector on 24.11.2006 along with stay petition and the same is pending.

The grievance of the petitioner is that unless the stay petition is disposed of immediately, the cause would become infructuous. Even otherwise, the suspension of the authorization cannot be said to be in the public interest.

While admitting the writ petition on 08.12.2006, this Court granted interim suspension of the proceedings, dated 11.09.2006, of the first respondent.

On perusal of the material available on record, I am of the opinion that the impugned order does not indicate any specific allegation against the petitioner and that the allegations are vague

in its nature. In view of the same, I deem it appropriate to continue the interim suspension granted by this Court on 08.12.2006 during the pendency of the appeal before the second respondent. However, the second respondent is directed to dispose of the appeal filed by the petitioner on 24.11.2006 within a period of two months from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No order as to costs.

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21-12-2006

kvrm